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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,046	04/26/2001	William Eric Hamilton	7896.14	2695

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EXAMINER

FOULADI SEMNANI, FARANAK

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 05/22/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

B

Office Action Summary

Application No.

09/844,046

Applicant(s)

HAMILTON ET AL.

Examiner

Faranak Fouladi

Art Unit

2672



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: application, filed on 04/26/2001; IDS, filed on 04/26/01; Pre-amendment A, filed on 12/31/01.
2. Claims 1-18 are pending in the case, with claims 1 and 10 being independent.
3. Claims 1 and 10 have been amended by a preliminary amendment.
4. The present title of the application is "Method for prolonging CRT screen life by reduced phosphor burning" (as originally filed).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 5 and 14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.
 - Is "character position" the same as "character step"? Is a character position a pixel? On page 5 line 11-15 "The bottom of window b is X units from left edge of CRT screen a, and Y units from the bottom of CRT screen a. Units X and Y may be of any appropriate size, ranging from one pixel up to several characters. In this example, units X are one full

character width in the horizontal direction, and units Y are one-half a character height in the vertical direction.” is very vague and confusing. What is X unit? Is it in pixels? What does ranging from one pixel up to several characters mean? Does this mean that the range is from one pixel up to several pixels?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US

Publication 2001/0026285 A1 to Toffolo et al. filed on 04/27/1998.

7. As per independent claim 1, “a method of preventing a display screen of a cathode ray tube (CRT) type monitor in a closed-circuit television (CCTV) system from experiencing phosphor burn as a result of persistent display of textual information overlaid onto a closed circuit video image, the method comprising the steps of moving a position of the textual information relative to the image as

displayed on the monitor by a relatively small predefined amount on a periodic basis." Toffolo disclose on page 1 paragraph [0005] lines 3-8 that an image can be shifted from one position to another by a predefined amount (amount can be defined based on the number of pixels on the screen) on a periodic bases.

8. As per dependent claim 2, "the method of claim 1 wherein the predefined amount is the smallest addressable screen unit on the display." Toffolo disclose on page 2 paragraph [0014] lines 1-4.

9. As per dependent claim 3, "the method of claim 1 wherein the predefined amount is one pixel." Toffolo disclose on page 2 paragraph [0014] lines 1-4.

10. As per dependent claim 4, "the method of claim 1 wherein the predefined amount is a relatively small predefined random number of pixels." Toffolo disclose on page 1 paragraph [0012] lines 8-10.

11. As per dependent claim 5, "the method of claim 1 wherein the predefined amount is one full character step." Toffolo disclose on page 1 paragraph [0012] lines 8-10.

12. As per dependent claim 6, "the method of claim 1 wherein the periodic basis is at least once per hour." Toffolo disclose on page 1 paragraph [0012] lines 1-2. Toffolo

disclose that time period may be user-defined thus the time period can be at least once per hour.

13. As per dependent claim 7, "the method of claim 2 wherein the periodic basis is at least once per day. Toffolo disclose on page 1 paragraph [0012] lines 1-2. Toffolo disclose that time period may be user-defined thus the time period can be at least once per day.

14. As per dependent claim 8, "the method of claim 1 wherein the textual information is displayed near the bottom of the CRT screen." Toffolo disclose on page 1 paragraph [0011] lines 6-7. Toffolo disclose that the image is displayed in a first position. This first position can be near the bottom of the CRT screen.

15. As per dependent claim 9, "the method of claim 7 wherein the textual information is displayed near one of the two bottom comers of the CRT screen." Toffolo disclose on page 1 paragraph [0011] lines 6-7. Toffolo disclose that the image is displayed in a first position. This first position can be near one of the two bottom comers of the CRT screen.

16. Claims 10-18 are similar in scope to claims 1-9 therefore they are rejected under the same rationale. In claim 10 steps of moving a position of the textual information relative to the video image as displayed on the monitor by a relatively small-predefined amount is based on an occasional basis not on periodic bases. Since

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Toffolo disclose that user can define the time period then it has been interpret that user can define the time to be occasional.

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Faranak Fouladi** whose telephone number is **703-305-3223**. The examiner can normally be reached on Mon-Fri from 8:00-4:30.

18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi** can be reach at **703-305-4713**.

19. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC. 20231


20. Or faxed to: 703-872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Faranak Fouladi-Semnani
Patent Examiner
Art Unit 2672



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600